

# INTERNATIONAL SEARCH REPORT

Inten	Application No
PCT/EP 2004/051167	

**A. CLASSIFICATION OF SUBJECT MATTER**  
**IPC 7 C07D451/06 A61P25/00**

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
**IPC 7 C07D A61P**

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

**EPO-Internal, WPI Data, PAJ, CHEM ABS Data**

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99/43323 A (FOX CHASE CANCER CENTER) 2 September 1999 (1999-09-02) page 1, line 7 – page 1, line 12 page 12, line 16 – page 12, line 19 -----	1,11,12
X	WO 00/27790 A (SMITHKLINE BEECHAM P.L.C.) 18 May 2000 (2000-05-18) page 44, reagent 1 -----	1,4
X	US 5 852 037 A (ELI LILLY AND COMPANY) 22 December 1998 (1998-12-22) example 44 -----	1,4,11, 12
X	WO 01/72303 A (RESEARCH TRIANGLE INSTITUTE) 4 October 2001 (2001-10-04) figure 3, compound 7' ----- -/-	1

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

**20 October 2004**

Date of mailing of the International search report

**08/11/2004**

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

**Schmid, A**

**INTERNATIONAL SEARCH REPORT**Inte  
al Application No  
PCT/EP2004/051167**C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT**

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 02/102801 A (NEUROSEARCH) 27 December 2002 (2002-12-27) page 14, line 29 – page 23, line 12; claims 1-12 -----	1-15

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.1

Although claim 15 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

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Continuation of Box II.2

Claims Nos.: 1-15(partly)

The initial phase of the search revealed a very large number of documents relevant to the issue of novelty. So many documents were retrieved that it is impossible to determine which parts of the claim(s) may be said to define subject-matter for which protection might legitimately be sought (Article 6 PCT). For these reasons, a meaningful search over the whole breadth of the claim is impossible. Consequently, a selection of patent documents have been cited as examples for the possible other documents. Moreover, compounds with Ra being hydrogen are also known from the prior art.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

# INTERNATIONAL SEARCH REPORT

national application No.  
PCT/EP2004/051167

## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: 1-15 (partly)  
because they relate to subject matter not required to be searched by this Authority, namely:  

Although claim 15 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2.  Claims Nos.: 1-15(partly)  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3.  Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
- No protest accompanied the payment of additional search fees.

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/EP2004/051167

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
WO 9943323	A	02-09-1999	WO US	9943323 A1 6248752 B1	02-09-1999 19-06-2001	
WO 0027790	A	18-05-2000	WO	0027790 A1	18-05-2000	
US 5852037	A	22-12-1998	AU CA EP JP WO	1074397 A 2236594 A1 0774256 A1 2000501384 T 9717962 A1	05-06-1997 22-05-1997 21-05-1997 08-02-2000 22-05-1997	
WO 0172303	A	04-10-2001	AU WO	4925001 A 0172303 A1	08-10-2001 04-10-2001	
WO 02102801	A	27-12-2002	WO EP US	02102801 A1 1397358 A1 2004106643 A1	27-12-2002 17-03-2004 03-06-2004	